

REMARKS

Claims 1-12 and 14-19 are pending in this application, of which claims 14-18 have been withdrawn. By this Amendment, claims 1, 12 and 19 are amended to more clearly define the recited features and the specification is amended to correct informalities. No new matter is introduced. Claim 13 is canceled without prejudice to, or disclaimer of, the cancelled subject matter. Applicants retain the right to file a divisional application to pursue the cancelled subject matter. Reconsideration of the application based on the above amendments and the following remarks is respectfully requested.

I. Restriction Requirement

The Office Action, on page 2, asserts that claims 14-18 are withdrawn from further consideration and that Applicants' election is considered to be without traverse for allegedly not complying with 37 C.F.R. §1.111(b) because Applicants' arguments amounts to a general allegation that does not distinctly and specifically point out the supposed errors in the requirement for restriction. Applicants maintain their traversal of the election because no additional burden would be imposed upon the Examiner in examination of claims 14-18 with claims 1-12 and 19.

For at least these reasons, in addition to the reasons previously argued, Applicants maintain that the election is with traverse and that the Restriction Requirement should be withdrawn.

II. Objections To the Specification

The Office Action, in paragraph 7, objects to the disclosure because of various informalities. Specifically, the Office Action asserts that portions of the specification are vague and informal and/or narrative. Applicants continue to submit that one of ordinary skill in the art would readily understand these portions of the specification, and the standard imposed by the Office Action for amendment of these portions of the specification is not

supported by any rule and/or law. However, in order to further prosecution, Applicants have amended the Specification to obviate the objection. Applicants request withdrawal of the objection.

The Office Action further objects, in paragraph 8, to the specification as not providing antecedent basis for claimed subject matter.

The January 17, 2008 Amendment, specifically at page 9, first paragraph, clearly identifies the portion of the Applicants' specification that supports the January 17, 2008 amendments of claims 1 and 19. Specifically, support can be found at, for example, page 14, line 27 to page 16, line 8 of the specification. Applicants request withdrawal of the objection.

III. Objection To The Claims

The Office Action, on pages 7-8, objects to claim 13 under 37 C.F.R. §1.75(c) as allegedly failing to further limit the subject matter of a previous claim. Claim 13 has been canceled, rendering the rejection moot.

IV. The Claims Comply With The Written Description Requirement

The Office Action, in paragraph 13, rejects claims 1-13 and 19 under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the written description requirement. The rejection is respectfully traversed.

The January 17, 2008 Amendment, specifically at page 9, first paragraph, clearly identifies the portion of the Applicants' specification that supports the January 17, 2008 amendments of claims 1 and 19. Specifically, support can be found at, for example, page 14, line 27 to page 16, line 8 of the specification. Accordingly, Applicants request withdrawal of the rejection.

V. The Claims Are Definite

The Office Action, in paragraph 15, rejects claims 1-13 and 19 under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. This rejection is respectfully traversed.

By this Amendment, claims 1, 12 and 19 are amended to obviate the rejection.

Applicants request withdrawal of the rejection.

VI. The Claims Are Patentable Over The Applied References

The Office Action, in paragraph 17, rejects claims 1-13 and 19 under 35 U.S.C. §103(a) as being unpatentable over Korean Patent Publication No. 1993-0008657 to Jin et al. (Jin) in view of U.S. Patent Application Publication No. 2003/0145218 to Hutchison. This rejection is respectfully traversed.

Regarding independent claims 1 and 19, the applied references fail to disclose (1) "a second storage device capable of having stored data erased at a faster speed than the first storage device" (claim 1) and "a second storage device capable of deleting data at a higher speed than the first storage device" (claim 19); and (2) "a job controller for execution of a following job without waiting for completion of deletion of parts of the job data file stored in the first storage device when the one or more parts of the job data file stored in the second storage device are deleted by the deletion controller" (claim 1) and "executing a following job without waiting for completion of deletion of parts of the job data stored in the first storage device when the one or more parts of the job data stored in the second storage device is deleted" (claim 19).

The Office Action fails to provide any viable rationale for combining the references in any predictable fashion that would have disclosed or rendered the subject matter of the claims obvious, as discussed below.

The Office Action asserts that Jin teaches a second storage device capable of having stored data erased at a faster speed than the first storage device. The Office Action does not identify which of the asserted memory, hard disk, or floppy disk allegedly corresponds to the claimed first and second storage devices. However, Jin does not teach that any of the memory or the HDD or floppy disk are capable of having stored data erased at a faster speed

than a first storage device. The Abstract, as relied on in the Office Action, must teach this feature as the Abstract is relied on as the prior art. The Abstract would not be understood by one skilled in the art as teaching, for example, that the memory of Jin must be capable of erasing stored data faster than the first memory device. Jin only teaches that data is stored to a memory, a hard disk and/or a floppy disk. The Abstract of Jin does not suggest any methodology of erasing data, where only a portion of the entire job file is deleted.

The Office Action concedes that Jin fails to disclose or suggest the claimed deletion controller. It is asserted that Hutchinson remedies this deficiency. The Office Action improperly asserts, on page 12, first complete paragraph, that Hutchinson teaches a deletion controller that deletes at least part of the data file when a prescribed deletion condition is satisfied. This assertion is incorrect. Hutchinson teaches that the entire data file is deleted. The entire file of Hutchinson being understood by one skilled in the art as the entire file needed for execution of the job. The Office Action overly broadly interprets Hutchinson as teaching at least a part of a data file is deleted. One skilled in the art would not understand Hutchinson as teaching anything other than the entire deletion of the file. For example, as previously argued, Hutchinson, at paragraph [0032], teaches erasing the data of a file by overwriting the data on the file; and Hutchinson, at paragraph [0034], teaches erasing some files and saving other files. More specifically, in paragraph [0034], Hutchinson teaches that a system in the computer can be designed to not erase files associated with the print job in progress. However, Hutchinson provides no disclosure that indicates that the print job is executed without waiting for deleting an entire data file or deleting some files and saving other files, nor does Hutchinson teach that any other job is executed without waiting for completion of deletion.

The Office Action asserts that the combination of Jin and Hutchinson would have been obvious to one of ordinary skill in the art at the time of invention in order to aid in

protection of the print data. However, one skilled in the art would not have looked to Hutchinson based on the teaching of Jin. Jin arguably teaches dividing the data into a plurality of parts, but Hutchinson teaches deleting the entire data file and Jin does not suggest any deletion methodology. Therefore, based on the teaching of Hutchinson, the combination would result in what is asserted to exist in the art, *i.e.*, a device that deletes the entire data file and prolongs the overall process.

In the Response to Arguments section, page 5, the Office Action asserts that there appears to be a limited number of options, and that it would have been obvious for one skilled in the art to try the various options. This assertion is incorrect. In overly broadly interpreting Jin as teaching a second storage device that is capable of faster erasing, the Office Action creates the asserted rationale for combining the Hutchinson reference. However, neither Jin and/or Hutchinson teach, or suggest, the critical aspect that by deleting one portion of a data file, it is not possible to decrypt the remaining part of the data file. As such, based on Jin, which teaches only storing a data file, and Hutchinson, which teaches deleting only entire job data files, the options available to one skilled in the art are limitless.

The Abstract of Jin, as relied on by the Office Action, does not teach, nor would it have suggested, deleting any portion of the file. Instead, Jin teaches storing the file in two parts, both encrypted, and access of the encrypted portion is performed only after decoding. The Abstract does not provide any suggestion as to deleting either an entire file or only a portion of the job file, and provides no viable rationale that any predictable variation of Jin and/or Hutchinson would render the pending claims obvious.

Therefore, as Jin and/or Hutchinson, in any permissible combination, fail to teach each aspect of the pending claims, and no viable rationale has been provided for combining the references to render the claims obvious, the Office Action fails to assert a *prima facie* case of obviousness.

For at least the above reasons, the applied references cannot reasonably be considered to teach, or to have suggested, the combinations of all of the features recited in at least independent claims 1 and 19. Further, claims 2-12 would also not have been suggested by the applied prior art references for at least the respective dependence of these claims on allowable independent claim 1, as well as for the separately patentable subject matter that each of these claims recites.

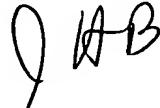
Accordingly, reconsideration and withdrawal of the rejections of claims 1-12 and 19 under 35 U.S.C. §103(a) as being unpatentable over the combination of applied prior art references are respectfully requested.

VII. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-12 and 19 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:

Request for Continued Examination

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